

**DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

In re:	)	
	)	
JEFFREY J. PROSSER,	)	<b>Bankruptcy No. 2006-30009</b>
	)	<b>Chapter 7</b>
Debtor.	)	
	)	
	)	
STAN SPRINGEL, CHAPTER 11 TRUSTEE	)	
OF THE BANKRUPTCY ESTATE OF	)	
INNOVATIVE COMMUNICATION	)	
CORPORATION AND JAMES P.	)	
CARROLL, CHAPTER 7 TRUSTEE OF	)	
THE BANKRUPTCY ESTATE OF	)	
JEFFREY J. PROSSER,	)	
	)	<b>Civil Action No. 3:2013-0087</b>
Plaintiffs/Appellees,	)	consolidated with
	)	<b>Civil Action No. 3:2013-0010</b>
v.	)	<b>Civil Action No. 3:2013-0056</b>
	)	<b>Civil Action No. 3:2013-0057</b>
JEFFREY J. PROSSER,	)	
	)	
Defendant/Appellant.	)	
	)	
	)	

**Attorneys:**

**Norman A. Abood, Esq.,**  
Toledo, OH  
**Robert F. Craig, Esq.,**  
Omaha, NE  
**Lawrence H. Schoenbach, Esq.,**  
New York, NY  
*For Appellant*

**Yann Geron, Esq.,**  
New York, NY  
**Samuel H. Israel, Esq.,**  
**William H. Stassen, Esq.,**  
Philadelphia, PA  
**Bernard C. Pattie, Esq.,**  
St. Croix, U.S.V.I.  
*For Appellees*

**ORDER**

**UPON CONSIDERATION** of the Brief filed by Appellants Jeffrey J. Prosser and Dawn Prosser in Civil Action Nos. 3:13-cv-0010, 3:13-cv-0056, 3:13-cv-0057, which were consolidated with 3:13-cv-0087 (Dkt. No. 48); the Brief of Appellee, Chapter 7 Trustee in response (3:13-cv-0087, Dkt. No. 49); and Appellants' Reply Brief (3:13-cv-0087, Dkt. No. 51); and for the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

**ORDERED** that the Bankruptcy Court's September 18, 2012 Order which held Appellants in contempt and jointly and severally liable for damages suffered by the Chapter 7 Trustee is **AFFIRMED**; and it is further

**ORDERED** that the Bankruptcy Court's January 18, 2013 Order which directed the Prossers to pay the Trustee \$528,086.07 in administrative expenses is **AFFIRMED**; and it is further

**ORDERED** that the Bankruptcy Court's May 24, 2013 Order directing the Prossers to pay the Chapter 7 Trustee \$419,135.59 in damages to the Chapter 7 Estate is **AFFIRMED**; and it is further

**ORDERED** that the Bankruptcy Court's May 31, 2013 Order directing the Prossers to execute deeds of title to transfer certain real property they owned (the "Anna's Hope Property") to the Chapter 7 Estate is **REVERSED IN PART** to the extent that such execution and transfer were ordered to satisfy the amount due on the Contempt Fees Order; and it is further

**ORDERED** that the Bankruptcy Court's August 23, 2013 Order directing the Chapter 7 Trustee's execution of Quitclaim Deeds to the Anna's Hope Property and the sale of that property by the Trustee is **REVERSED IN PART** to the extent that the execution and sale were ordered to satisfy the amount due on the Contempt Fees Order; and it is further

**ORDERED** that the parties shall submit briefs on the issue of whether, in light of existing

law—including the Supreme Court’s ruling in *Law v. Siegel*, 134 S. Ct. 1188 (2014)—the exempt Anna’s Hope Property may be conveyed to the Chapter 7 Estate and sold to pay the Supplemental Sanctions Order under the authority provided by § 105(a) as a consequence of the Prossers being found in contempt of court; and it is further

**ORDERED** that the Prossers shall submit such briefing on or before **March 16, 2017**; and it is further

**ORDERED** that the Trustee shall file a response on or before **March 30, 2017**; and it is further

**ORDERED** that the Prossers may submit a reply on or before **April 6, 2017**; and it is further

**ORDERED** that the stay imposed by this Court (Dkt. No. 29) is **CONTINUED** until further Order of the Court.

**SO ORDERED.**

Date: February 23, 2017

\_\_\_\_\_/s/\_\_\_\_\_  
WILMA A. LEWIS  
Chief Judge